

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

ANYA ELSNER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:22-cv-00163-TWP-KMB
	)	
VAN AUSDALL & FARRAR, INC.,	)	
	)	
Defendant.	)	

**JOINT MOTION TO TRANSFER DIVISION**

Plaintiff Anya Elsner and Defendant Van Ausdall & Farrar, Inc., by and through counsel, and pursuant to 28 U.S.C. § 1404(a), hereby submit this Joint Motion to Transfer Division and request that this Court transfer this case to the Indianapolis Division of the United States District Court for the Southern District of Indiana. In support of this Motion, the parties state:

1. On December 21, 2022, Plaintiff Anya Elsner (“Ms. Elsner”) filed a Complaint for Damages and Request for Jury Trial (“Complaint”)[Dkt.1].

2. Ms. Elsner is a resident of Marion County, Indiana (Complaint, ¶1), located within the jurisdictional boundaries of the Indianapolis Division of the Southern District of Indiana.

3. Defendant Van Ausdall & Farrar, Inc. (“Van Ausdall”) is located in Indianapolis, Indiana, within the jurisdictional boundaries of the Indianapolis Division of the Southern District of Indiana.

4. Pursuant to 28 U.S.C. § 1404(a), “[f]or the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented.”

The convenience and consent of the parties lies in the Indianapolis Division.

WHEREFORE, for the reasons stated herein, Plaintiff Anya Elsner and Defendant Van Ausdall & Farrar, Inc. respectfully request that the Court transfer this action to the Indianapolis Division of the United States District Court for the Southern District of Indiana.

Respectfully submitted,

<u>/s/ Paul J. Cummings (with permission)</u>	<u>Toni M. Everton</u>
Paul J. Cummings, #22713-41 HENN HAWORTH CUMMINGS & PAGE 1634 W. Smith Valley Road, Ste. B Greenwood, IN 46143 (317) 885-0041 (888) 308-6503 Fax paul.cummings@hhcplaw.com	Heather L. Wilson, #20432-41 Toni M. Everton, #23916-49 FROST BROWN TODD, LLP 111 Monument Circle, Suite 4500 P.O. Box 44961 Indianapolis, IN 46244-0961 (317) 237-3800 (317) 237-3900 Fax hwilson@fbtlaw.com teverton@fbtlaw.com

### **CERTIFICATE OF SERVICE**

I hereby certify that on January 27, 2023 a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

Respectfully submitted,

/ s / Toni M. Everton

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